

**REMARKS**

The Office Action of April 21, 2004 has been reviewed and the comments therein were carefully considered. Claims 34, 40, 50, and 65 have been canceled. Claims 1, 5, 13, 19, 28, 43, 47, 55, 66, 82, 83, 85, 96, 97, 98, 99, and 100 have been amended. No new matter has been introduced into the application. Applicants respectfully request reconsideration of the application and allowance of all pending claims.

**Objection under 37 C.F.R. § 1.83(a)**

Examiner objected to the drawings under 37 C.F.R. § 1.83(a) because every feature of the invention specified in the claims was not shown in the drawings. Applicants respectfully traverse the objection.

Regarding the cradle limitation of claims 8, 13, and 18, Applicants originally filed figure 10, which illustrates a base station 16 having a cradle 140 for storing the body electronics unit 14. Figure 10 illustrates just one example of the cradle limitation shown with various aspects of the invention. Applicants' illustration should not be construed to limit the claimed cradle limitation. Applicants respectfully request the withdrawal of the objection regarding this matter.

Regarding the X-patterned grid construction limitation of claims 49 and 61, Applicants originally filed figure 2 adequately illustrates a shielding layer with the claimed limitation. Title 37 C.F.R. § 1.83(a) states, in pertinent part, that “conventional features disclosed in the description and claims, where their detailed illustration is not essential for a proper understanding of the invention, should be illustrated in the drawing in the form of a graphical drawing symbol or a labeled representation (e.g., a labeled rectangular box).” A detailed illustration of the X-patterned grid construction is not essential for the proper understanding of that limitations. The X-patterned grid

construction of the shielding layer 44 in figure 2 is adequately illustrated with graphical drawing symbols (i.e., hash marks.) Applicants submit that this representation is sufficient to enable one skilled in the art to understand the invention.

Applicants have amended page 5 of the specification to expressly indicate the graphical representation of a X-pattern grid construction limitation in the figures. Applicants respectfully request the withdrawal of the objection regarding this matter.

### **Rejections under 35 USC § 101**

Claims 43 and 44 are rejected under 35 U.S.C. § 101 for being identical to claims 38 and 39, respectively. Applicants amend claim 43 so that it is not identical to claim 38. Thus, Applicants respectfully submit that claim 43 complies with the requirements of 35 U.S.C. § 101 and is in condition for allowance.

Meanwhile, Applicants respectfully traverse the rejection of claim 44. Claim 44 is not identical to claim 39. Claim 44 claims in pertinent part: "...wherein the chest assembly connector further comprises at least one tongue corresponding to at least one groove in the chest assembly port." Meanwhile, claim 39 claims in pertinent part: "...wherein the spring flanges provide a tension against a chest assembly port to secure the chest assembly connector within the chest assembly port." The claims are not identical. Therefore, for at least this reason, Applicants respectfully request the withdrawal of the rejection of claim 44 and its subsequent allowance.

### **Rejections under 35 USC § 112**

Claims 82, 83, 96, and 97 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants have amended claims 82, 83, 96, and 97. The submitted claims comply with 35 U.S.C. § 112, second paragraph, requirements. Applicants respectfully request a

substantive examination of these claims on the merits.

**Rejections under 35 USC § 102**

Claims 47, 50, and 51 are rejected under 35 U.S.C. § 102(b) as being anticipated by Price (US Patent No. 6,141,575). Applicants respectfully request withdrawal of this rejection. A rejection under 35 U.S.C. § 102 is not proper unless all limitations in the claim are found in a single prior art reference. Price '575 fails to disclose all the limitations in independent claim 47 as amended. For example, Price fails to disclose, teach, or suggest a chest assembly having a shielding layer comprised of at least one layer of dielectric material. Thus, Applicants respectfully submit that the rejection under 35 U.S.C. § 102 should be withdrawn. Furthermore, because claims 50 and 51 depend from claim 47, Applicants respectfully submit that the rejection of claims 50 and 51 under 35 U.S.C. § 102 should be withdrawn for at least the same reasons as claim 47.

Claims 66-68 and 70-73 are rejected under 35 U.S.C. § 102(b) as being anticipated by Delvin et al. (US Patent No. 5,813,404).

Applicants respectfully traverse the rejection of claims 66-68 and 70-73 under 35 U.S.C. § 102(b). Applicants respectfully request withdrawal of this rejection. Delvin '404 fails to disclose, teach, or suggest all of the claim limitations contained in independent claim 66 as amended. For example, Delvin '404 fails to disclose, teach, or suggest a body electronics unit that transmits signals to a base station via radio transmission. In addition, Delvin fails to disclose, teach, or suggest a system that, upon completion of a circuit formed between the body electronics unit and the connector, measurement of the physiological signals is activated. Thus, Applicants respectfully submit that the rejection under 35 U.S.C. § 102 should be withdrawn. Furthermore, because claims 67, 68, and 70-73 depend from claim 66, Applicants respectfully submit that the rejection of claims 67, 68, and 70-73 should be withdrawn for at least the same reasons as claim 66.

### **Rejections under 35 USC § 103**

Claims 1, 4, 9-12, 19, 26, 85-88, 92-95, and 98 are rejected under 35 USC § 103(a) as being unpatentable over Segalowitz (U.S. Patent No. 5,307,818). Claims 5, 6, and 84 are rejected under 35 USC § 103(a) as being unpatentable over Segalowitz '818 in view of Minoz (U.S. Patent No. 6,115,622). Claims 2, 3, 20, 89, 90, 96, 97, and 99-104 are rejected under 35 USC § 103(a) as being unpatentable over Segalowitz '818 in view of Olejniczak (U.S. Patent No. 6,150,951) or De La Huerga (U.S. Patent No. 6,134,495). Claim 7 is rejected under 35 USC § 103(a) as being unpatentable over Segalowitz '818 in view of Minoz '622 and further in view of Olejniczak '951 or De La Huerga '495. Claim 8 is rejected under 35 USC § 103(a) as being unpatentable over Segalowitz '818 in view of Minoz '622 and further in view of Olson et al. (U.S. Patent No. 5,645,571). Claim 13 is rejected under 35 USC § 103(a) as being unpatentable over Segalowitz '818 in view of Olson '571. Claim 14 is rejected under 35 USC § 103(a) as being unpatentable over Segalowitz '818 in view of Minoz '622 and further in view of Price '575. Claims 15-17 are rejected under 35 USC § 103(a) as being unpatentable over Segalowitz '818 in view of Minoz '622 and Price '575 and further in view of Olejniczak '951 or De La Huerga '495. Claim 18 is rejected under 35 USC § 103(a) as being unpatentable over Segalowitz '818 in view of Minoz '622 and Price '575 and further in view of Olson '571. Claim 91 is rejected under 35 USC § 103(a) as being unpatentable over Segalowitz '818 in view of Olejniczak '951 or De La Huerga '495 and further in view of Olson '571. Applicants respectfully traverse these rejections.

With regard to independent claims 1, 5, 13, 14, 19, 85, 98, 99, and 100, Segalowitz '818 does not disclose, teach, or suggest a base station having a plurality of terminals for directly transmitting electrical signals to any conventional electrocardiograph monitor. In addition, Segalowitz does not disclose, teach, or suggest In contrast, the instant invention directly communicates with any

conventional ECG monitor using the plurality of terminals on the base station. Moreover, Minoz ‘622, Olson ‘571, and Price ‘575 neither teach the missing limitations, nor do they suggest a motivation to combine the limitations missing from Segalowitz ‘818. Therefore, for at least these reasons, Applicants respectfully submit that claims 1, 5, 13, 14, 19, 85, and 100 are in condition for allowance. In addition, claims 2-4, 6-12, 15-20, 26, 84-91, and 92-104, which depend from amended independent claims, are in condition for allowance for at least the same reasons as the independent claims from which they ultimately depend.

Claims 21, 22, 24, and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Minoz ‘622 in view of Delvin ‘404. Claims 23 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Minoz ‘622 in view of Delvin ‘404 and further in view of Olejniczak ‘951 or De La Huerga ‘495. Applicants respectfully traverse these rejections.

With regard to independent claim 21, Minoz fails to disclose, teach, or suggest a system that, upon completion of a circuit formed between the body electronics unit and the connector, measurement of the physiological signals is activated. Furthermore, Delvin, Olejniczak, and De La Huerga do not teach, or suggest this aspect of the invention or teach or suggest a motivation to combine this missing limitation with Minoz. Accordingly, Applicants respectfully submit that independent claim 21 is condition for allowance. In addition, Applicants respectfully submit that claims 22-25 and 27, which depend from independent claim 21, are in condition for allowance for at least the same reasons as independent claim 21.

Claims 28, 55-63, and 76 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Delvin ‘404 in view of Price ‘575. Claims 29-37 and 54 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Delvin ‘404 in view of Segalowitz ‘818. Claims 38-46 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Delvin ‘404 in view of Price ‘575 and further in view of

Etter et al. (U.S. Patent No. 6,020,359). Claims 52, 53, 64, 65, 69, 74, and 77-79 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Delvin '404 in view of Price '575 and further in view of Minoz '622. Claims 75 and 81 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Delvin '404 in view of Price '575 and Minoz '622 and further in view of Olejniczak '951 and De La Huerga '495. Claim 80 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Delvin '404 in view of Price '575 and Minoz '622 and further in view of De La Huerga '495. Applicants respectfully traverse these rejections.

Regarding claim 28 as amended, Delvin '404 fails to disclose, teach, or suggest a system that, upon completion of a circuit formed between the body electronics unit and the connector, measurement of the physiological signals is activated. In addition, Price, Sagalowitz, Etters, Minoz, Olejniczak, and De La Huerga, fail to teach or suggest the missing limitation or a motivation to combine the missing limitation with Delvin. Therefore, Applicants respectfully submit that claim 28 is in condition for allowance.

Regarding claim 55 as amended, Delvin fails to teach, disclose, or suggest an adaptor assembly for connecting to an ECG monitor. In addition, Price and Minoz fail to teach or suggest the missing limitation or a motivation to combine the missing limitation with Delvin. Therefore, Applicants respectfully submit that claim 55 is in condition for allowance.

Similarly, Applicants respectfully submit that claims 29-46, 52-54, 56-65, 69, and 74-81, which depend from independent claims 28 and 55, are in condition for allowance for at least the same reasons as the parent claims from which they ultimately depend.

Regarding claims 69 and 74-81, Applicant has amended claim 66 from which these claims ultimately depend. Neither Delvin, Price, Minoz, Olejniczak, nor De La Huerga teach, disclose or suggest a sensor pin that completes a circuit within a body electronics unit when a chest assembly

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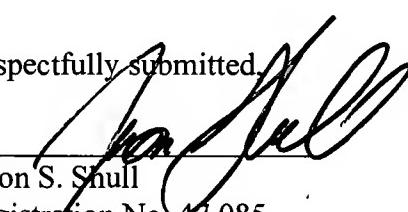
connector is inserted in a chest assembly port in the body electronics unit. Therefore, Applicants respectfully submit that claims 69 and 74-81 are in condition for allowance.

Claims 47-51 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Price '575. Applicants respectfully traverse the rejection. Price fails to disclose, suggest, or teach all the limitations in claims 47. In particular, Price fails to disclose, suggest, or teach a chest assembly that has a shielding layer comprised of at least one layer of dielectric material. Furthermore, dependent claims 48-51, which ultimately depend from claim 47, are allowable for at least the same reasons as independent claim 47. Therefore, Applicants respectfully submit that these claims are in condition for allowance.

The Applicants respectfully submits that the instant application is in condition for allowance. Should the Examiner believe that a conversation with Applicants' representative would be useful in the prosecution of this case, the Examiner is invited and encouraged to call Applicants' representative.

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Respectfully submitted,

  
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